

GENERAL PERMIT FOR EMERGENCY ROAD REPAIR

This general permit applies to stream alterations necessary to the repair of a public roadway or highway in the case of imminent threat to the public safety. No written permit or advanced authorization is required when a chief administrative officer of a public highway or transportation department repairs or causes the repair of highways or roads in emergency situations where immediate repairs are necessary to protect human safety and welfare.

Notification

- 1) The chief administrative officer of the public highway or transportation department shall notify the Division by telephone as soon as practicable that an emergency has arisen and of intentions to make repairs in response to the emergency.
- 2) Within ten (10) days of the completion of the emergency repair work the chief administrative officer shall notify the Division in writing of the action taken and the nature of the emergency necessitating such immediate repair.

General Terms and Conditions

- 1) The extent of stream alteration associated with the road repair undertaken pursuant to this section shall not exceed four hundred feet (400').
- 2) Soil materials must be prevented from entering waters of the state. Erosion and sedimentation control measures to protect water quality must be maintained throughout the construction period. Erosion and sedimentation controls shall include, but are not limited to straw or hay bales and/or silt fence, brush barriers, berms, sediment ponds and other proven devices. Hay bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along stream banks in cleared areas to prevent sedimentation to streams. They must be installed on the contour, entrenched and staked, and extend the width of the area to be cleared. Erosion and sedimentation controls must be repaired, if necessary, after rainfall.
- 3) Instream sedimentation control devices are not approved as primary treatment devices. They may be used only as backup or fail-safe protection. Separate erosion and sedimentation controls and sediment treatment devices must be utilized.
- 4) Excavation and fill activities shall be separated from flowing waters. All surface water flowing towards excavation or fill work shall be diverted through utilization of cofferdams, berms, temporary channels, or pipes. Temporary diversion channels must be protected by non-erodible material and lined to the expected high water level. Cofferdams must be constructed of sandbags, clean rock, steel sheeting or other non-erodible materials. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.
- 5) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in settling basins until at least as clear as the receiving waters. Settling basins shall not be located closer than twenty (20) feet from the top bank of a stream. Settling basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.
- 6) Checkdams shall be utilized where runoff is concentrated. Clean rock, log, sandbag, or straw bale checkdams shall be properly constructed to detain runoff and trap sediment. However, no such measures shall be used in streams. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.
- 7) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary to accomplish emergency repairs and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as practicable.
- 8) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.
- 9) Streams shall not be used as transportation routes for heavy equipment. Crossings must be limited to

one point and erosion control measures must be utilized where the stream banks are disturbed. Where the streambed is not composed of rock, a pad of clean rock must be used at the crossing point. All temporary fill must be completely removed after the work is completed. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.

- 10) Emergency repair work shall be limited to that necessary to restore pre-emergency conditions. Channel enlargements or realignments are not authorized under this section, other than to restore pre-emergency conditions.
- 11) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000
Expiration Date June 30, 2005

APPROVED: _____
Paul Davis, Director